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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,295	08/18/2003	Ruey-Zon Chen	CHEN3578/EM	1998

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EXAMINER

ALIE, GHASSEM

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/642,295

Applicant(s)

CHEN ET AL.

Examiner

Ghassem Alie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on the filing date of the application.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5 and 6 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: "10" in Figs. 1 and 2, "30" in Figs. 3 and 4, "5541" in Figs. 6, 8, and 9, and "231" in Figs. 8 and 9.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Dassoulas et al. (6,009,627), hereinafter Dassoulas. Regarding claim 1, Dassoulas teaches a blade clamping device including a driving shaft 30 having an extension extending from a distal end. The drive shaft 30 extends from the front face 24 of the housing portion 22. Dassoulas also teaches a base member 58 including a passage 74 defined therethrough and the driving shaft 38 is securely received in the passage 74. Dassoulas also teaches that the blade 38 is connected to the driving shaft 30 and a first opening 90 defined through a side of the base member 58 and communicating with the passage 74. Dassoulas also teaches a cam member pivotally connected to the base member 58 and a first end of the cam member being a cam

head which is inserted in the first opening and removably contacting the blade 38. The cam is defined by the upper portion of the biasing member 60 up to the curved portion of the biasing member which is defined as a cam head. The upper portion of the biasing member 60 is pivotally connected to the base 58, since it pivots when the lever 62 is pulled. The first end of the biasing member also is defined as a bar. Dassoulas also teaches a first torsion spring which is connected to the base member 58 to maintain the cam head to contact the blade 38. The lower portion of the biasing member 60 is defined as a torsion spring which pushes the head of the cam toward the blade 38. Dassoulas also teaches a casing 22 including a second opening defined in a side thereof and a lever 62 pivotably engaged with the second opening. Dassoulas also teaches that the lever 62 includes a handle 170 and a pushing end 172. Dassoulas also teaches that the pushing end 172 of the lever 62 located beneath of the bar of the cam member and the cam head is pivoted away from the blade 38 by the pushing end 172 of the lever 62. See Figs. 1-15 and col. 5, lines 36-67 and col. 6, lines 1-67 and col. 7, lines 1-65 in Dassoulas.

Regarding claim 5, Dassoulas teaches everything noted above including a stop 94 extending from an edge of the blade 38 and being stopped by an end surface of the base member 58. The upper surface 94 of the blade 38 is stopped by a surface within the channel 90 of the base member 58. See Figs. 1-15 and col. 7, lines 9-37 in Dassoulas.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dassoulas in view of Lai (5,479,709). Regarding claim 6, Dassoulas teaches everything noted above including that the driving shaft 38 has a positioning hole 72 and a pin 68 extend through the base member 58 and inserted in the positioning hole 72. See Figs. 1-15 and col. 6, lines 45-62. Dassoulas does not teach two positioning holes and two pins for connecting the shaft to the base member. However, the use of two pins inserted into two positioning holes of the shaft for connecting the shaft to the base is well known in the art such as taught by Lai. Lai teaches a shaft 6 has two positioning holes and two pins extend through a base 10 and inserted in the two positioning holes of the shaft 6. See Fig. 2 and col. 2, lines 15-59 in Lai. It would have been obvious to a person of ordinary skill in the art to provide Dassoulas's blade clamping device with a second pin and a second positioning hole as taught by Lai in order to hold steady the shaft to the base member and consequently reduce the vibration of the blade during cutting operations.

Allowable Subject Matter

6. Claims 2-4 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to teach a tube extending from one of two lugs which are extending from the base member, a slit defined in the tube, and the first torsion spring mounted to the tube as set forth in claim 2.

Conclusion

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nasser et al. (5,443,276), Dunn (1,988,188), Bileck (1,312,298), Pecord (1,070,523), Tolbert et al. (4,592,144), Barrett et al. (4,601,477), Seyerle (5,722,309), Campbell et al. (6,484,4098), Rose (44,823) and Wuensch et al. (2003/0106407), and Wheeler et al. Teach a blade clamping device including a base member, a cam and a lever.

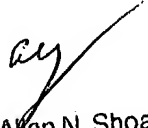
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (703) 305-4981. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (703) 305-1082. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9302 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

GA/ga

May 5, 2004


Allan N. Shoap
Supervisory Patent Examiner
Group 3700